

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship
are as stated below next to my name,

I believe I am the original, first and sole inventor
(if only one name is listed below) or an original, first
and joint inventor (if plural names are listed below) of
the subject matter which is claimed and for which a
patent is sought on the invention entitled METHOD AND
APPARATUS FOR RETAINING A FLITCH FOR CUTTING, the
specification of which

(check one) X is attached hereto.

_____ was filed on _____
as Application Serial
No. _____
and was amended on _____

I hereby state that I have reviewed and understand
the contents of the above-identified specification,
including the claims, as amended by any amendment
referred to above.

I acknowledge the duty to disclose information which
is material to the examination of this application in
accordance with Title 37, Code of Federal Regulations,
§1.56(a).

I hereby claim foreign priority benefits under Title
35, United States Code, §119 of any foreign
application(s) for patent or inventor's certificate
listed below and have also identified below any foreign
application for patent or inventor's certificate having
a filing date before that of the application on which
priority is claimed.

Prior Foreign Application(s): NONE

I hereby claim the benefit of Title 35, United
States Code, §120 of any United States application(s)
listed below and, insofar as the subject matter of each
of the claims of this application is not disclosed in
the prior United States application in the manner
provided by the first paragraph of Title 35, United
States Code, §112, I acknowledge the duty to disclose
material information as defined in Title 37, Code of
Federal Regulations, §1.56(a) which occurred between the
filing date of the prior application and the national or
PCT international filing date of this application:

08/685,207
08/455,479
(Application Serial No.)

July 31, 1996
May 31, 1995
(Filing Date)

Pending
Patented
(Status-patented,
pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I (we) hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

David H. Badger	22,597
Gerald H. Glanzman	25,035
Daniel L. Boots	33,159
Marshall E. Rosenberg	34,003

Please address all correspondence and communications to:

David H. Badger, Esq.
BRINKS HOFER GILSON & LIONE
One Indiana Square, Suite 2425
Indianapolis, Indiana 46204
(317) 636-0886

Full name of sole or first inventor Robert D. Brand

Inventor's signature Robert D. Brand

Date 11 November 1996

Residence 11444 Pendleton Pike, Lawrence, Indiana

Citizenship United States of America

Post Office Address 11444 Pendleton Pike

Lawrence, Indiana 46226

STATE OF INDIANA)
COUNTY OF Marion) ss.

I, LINDA L. SPIKER, a Notary Public in and for the County and State aforesaid, do hereby certify that Robert D. Brand, known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 11th day of November, 1996.

Linda L. Spiker
Notary Public

(SEAL)

My Commission Expires: 10-28-98

Applicant CAPITAL MACHINE COMPANY, INC.

Attorney's

Serial or Patent No.: Unknown

Docket No.: 970/016

Filed or Issued: Herewith

For: METHOD AND APPARATUS FOR RETAINING A FLITCH FOR CUTTING

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN CAPITAL MACHINE COMPANY, INC.

ADDRESS OF CONCERN 2801 Roosevelt Avenue, Indianapolis, Indiana 46218

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled METHOD AND APPARATUS FOR RETAINING A FLITCH FOR CUTTING by inventor(s) Robert D. Brand described in

- ☒ the specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(c). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Robert D. Brand

TITLE OF PERSON OTHER THAN OWNER Vice President-Engineering

ADDRESS OF PERSON SIGNING 11444 Pendleton Pike, Lawrence, Indiana 46236

SIGNATURE Robert D. Brand

DATE 11 November 1996

BRINKS HOFER GILSON & LIONE
One Indiana Square, Suite 2425
Indianapolis, Indiana 46204
(317) 636-0886

ASSIGNMENT

WHEREAS, Robert D. Brand, hereinafter called the "Assignor", has made the invention described in the United States patent application entitled METHOD AND APPARATUS FOR RETAINING A FLITCH FOR CUTTING, executed by Assignor on the same date as this Assignment;

WHEREAS, Capital Machine Company, Inc., a corporation organized and existing under the laws of the State of Indiana, having a place of business at 2801 Roosevelt Avenue, Indianapolis, Indiana 46218, hereinafter called the "Assignee", desires to acquire the entire right, title and interest in and to the invention and the patent application identified above, and all patents which may be obtained for said invention, as set forth below;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt of which by the Assignor from the Assignee is hereby acknowledged, the Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer to the Assignee, the entire right, title and interest for the United States in and to the invention and the patent application identified above, and any patents that may issue for said invention in the United States; together with the entire right, title and interest in and to said invention and all patent applications and patents therefor in all countries foreign to the United States, including the full right to claim for any such application all benefits and priority rights under any applicable convention; together with the entire right, title and interest in and to all continuations, divisions, renewals and extensions of any of the patent applications and patents defined above; to have and to hold for the sole and exclusive use and benefit of the